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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO
09/917,081	07/30/2001	Joseph K. Mosis	JKM-101	9106
7590 03/30/2006			EXAMINER	
Morland C. Fischer			PHILLIPS, CHARLES E	
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Suite 1050			ART UNIT	PAPER NUMBER
Irvine, CA 92614			3751	

DATE MAILED: 03/30/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)				
	09/917,081	MOSIS, JOSEPH K.				
Office Action Summary	Examiner	Art Unit				
	Charles E. Phillips	3751				
The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply						
A SHORTENED STATUTORY PERIOD FOR REPLY WHICHEVER IS LONGER, FROM THE MAILING DA - Extensions of time may be available under the provisions of 37 CFR 1.13 after SIX (6) MONTHS from the mailing date of this communication.  If NO period for reply is specified above, the maximum statutory period w Failure to reply within the set or extended period for reply will, by statute, Any reply received by the Office later than three months after the mailing earned patent term adjustment. See 37 CFR 1.704(b).	ATE OF THIS COMMUNICATION 36(a). In no event, however, may a reply be timulated the sound and will expire SIX (6) MONTHS from cause the application to become ABANDONE	. the mailing date of this communication. (35 U.S.C. § 133).				
Status						
Responsive to communication(s) filed on 20 Ja     This action is <b>FINAL</b> . 2b) ☐ This     Since this application is in condition for allowar closed in accordance with the practice under E	action is non-final. nce except for formal matters, pro					
Disposition of Claims						
4) ⊠ Claim(s) 9 and 11-14 is/are pending in the app 4a) Of the above claim(s) is/are withdray 5) □ Claim(s) is/are allowed. 6) ⊠ Claim(s) 9 and 11-14 is/are rejected. 7) □ Claim(s) is/are objected to. 8) □ Claim(s) are subject to restriction and/o	vn from consideration.					
Application Papers						
9) The specification is objected to by the Examine 10) The drawing(s) filed on is/are: a) accomposed and applicant may not request that any objection to the Replacement drawing sheet(s) including the correct 11) The oath or declaration is objected to by the Examine	epted or b) objected to by the l drawing(s) be held in abeyance. See ion is required if the drawing(s) is ob	e 37 CFR 1.85(a). jected to. See 37 CFR 1.121(d).				
Priority under 35 U.S.C. § 119						
12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) All b) Some * c) None of:  1. Certified copies of the priority documents have been received.  2. Certified copies of the priority documents have been received in Application No  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.						
Attachment(s)  1) Notice of References Cited (PTO-892)  2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  Paper No(s)/Mail Date	4) Interview Summary Paper No(s)/Mail D  5) Notice of Informal F  6) Other:					

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Art Unit: 3751

During preparation of an examiner's answer, certain 35 USC 112 issues came to light. Accordingly, the previous final rejection is hereby withdrawn and an action on the merits follows.

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 9 and 11-14 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

Claim 9, last paragraph, calls for "a control valve by which to selectively connect said water pump to one of said fluid coupling or to said reservoir."

As viewed in Figs 8-9 and as described in paragraph 31, a valve located in the leg of the "T" cannot restrict pump access to both the tank and fresh water source, as called for in claim 9, last paragraph, line 1.

That is, when the valve 12 is open to allow passage of water, the pump is also in communication with the reservoir.

In this regard, it would also appear that paragraph 31, lines 7-8 is in error, also.

Claim 11 calls for a "one way flow valve---to prevent the flow of fresh water from said external source to said reservoir when said control valve is in the open position."

The disclosure in paragraph 32 discloses a "one way valve which prevents water from goning back to (sic) fresh water tank whenever water is taken from the garden hose."

How is this accomplished, since such a valve would also prevent filling of the reservoir i.e. no water can pass 13 toward the reservoir?

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The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 9 and 11-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Watkins et al.

See the municipal water supply mode alternative of col. 6, lines 26 +, where "a valve" (not shown) but discussed in line 29 is employed to disconnect the hose 55 that leads to the faucet, from the fresh water tank

42 to the external source of water. That is, a valve is used to select between an external source and the fresh water storage tank 42.

This differs from the instant device and the claim 9 "control valve" in that the instant device employs a valve to route the external water through the pump to the fresh water tank or to the faucet. Watkins et al use the

valve to bypass the pump when in the external source mode. That is the pump is not needed when the external source is chosen because the pressure of the external source that is employed is enough that no

assistance is needed. In fact, as discussed in col. 6, lines 45-50, the external pressure is five times that necessary at the faucet.

Accordingly, it would have been obvious to the ordinary artisan, with teachings of Watkins et al at hand, to use his valve to route the external source through what ever assist may be deemed necessary in order to

achieve the desired pressure at the faucet. That is, if insufficient pressure is expected to be encountered, it would have been obvious to enhance it with a pump as this is well known in the art or to step the pressure

down by a pressure regulator if the external source pressure exceeds that desired at the faucet. The latter case will exist in all municipal supplies.

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Any inquiry concerning this communication should be directed to Charles E.

Phillips at telephone number 571-272-4893.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

Primary Examiner

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